



Reviewed: September 2023 - Rob Grosse, Headteacher

## MONITORING

The Head/DSL, the Designated Governor and Bursar will monitor the operation of this Policy and the effectiveness of its procedures. An annual report on Safeguarding and Child Protection will be made to the Board. In addition, any deficiency that is noted in the School's Child Protection arrangements will be remedied without delay. The Head, DSL and DDSL review the policy regularly and as necessary. The Board will undertake an annual review of this Policy and the efficiency with which the related duties have been discharged.

## POLICY AND PROCEDURE:

- Purpose and aims
- Scope
- How to raise a concern
- Practice and procedure
- How the School will respond
- Safeguards
- How the matter can be taken further
- Responsibility / Monitoring

### ***All staff should also read***

*Child Protection and Safeguarding*

*Staff Code of Conduct*

*Children Missing in Education*

*Complaints Procedure*

*Antibullying*

*Behaviour*

*E-safety & Acceptable Use Policy*

*Supervision policy*

*Equal Opportunities Policy*

*Safer Recruitment Policy*

## 1. PURPOSE AND AIMS

1.1 Schools must aspire to the highest standards of quality, integrity, honesty and accountability in all its activities.

All staff are required to report to the Head or the Chair of Governors in the Head's absence, any concern or allegations about school practices or the behaviour of colleagues which are likely to put pupils at risk of abuse or other serious harm. There will be no retribution or disciplinary action taken against a member of staff for making such a report provided that it is done in good faith.

In line with the Public Interest Disclosure Act 1998, this Policy aims to create an environment in which employees, parents and Governors who have concerns about any aspect of the School's work, feel encouraged to disclose information to an appropriate person within the School or to an appropriate external body (as shown in the Contacts List at the end of this Policy).

Raising concerns at work also applies to Governors, site contractors, specialist consultants, peripatetic music and drama staff and external staff working on School premises.

1.2 In addition, this Policy also recognises the Enterprise and Regulatory Act 2013 (ERA) and protections by the Public Interest Disclosure Act 1998 which are designed to protect workers from being unfairly dismissed by their employer or suffering other detriment whenever they report their concerns about matters that affect the public interest to their employer, regulatory authorities or other designated persons.

1.3 Whistleblowing claims will only now be valid when an employee blows the whistle in relation to a matter for which the disclosure is genuinely in the public interest. This will exclude breaches of individuals' contracts of employment and breaches of other legal obligations which do not involve issues of a wider public interest.

1.5 Employees, because of their close proximity to School practices, are often the first to identify areas or issues that may be of concern. However, they may be reluctant to express these concerns because they feel that speaking up would be disloyal to their colleagues, the School or to the wider community – and they may also be worried that they will be victimised or harassed because of their actions.

1.6 This Policy is designed to help create an environment in which employees and others feel they can raise concerns without fear of reprisal. By responding to and addressing concerns in the quickest possible time, the School aims to contain matters with, where relevant, support and guidance from the Local Authority. However, employees or others must be able to take matters further if they are dissatisfied with the School's response.

1.7 This policy is adapted from the Royal Borough of Windsor and Maidenhead's Raising Concerns at Work (Whistleblowing) Policy. Reviewed by Rob Grosse 2023

## **2 SCOPE**

This policy is designed to sit alongside the School's Grievance Procedure (which enables employees to lodge a grievance relating to their employment).

Concerns may be about acts that:

a) are safeguarding failures or concerns

- b) are unlawful or involve fraud, deceit and/or bribery
- b) represent a risk to health and safety
- c) cause environmental damage
- d) infringe equal opportunities related legislation and/or the School's policies, e.g. discriminatory behaviour
- e) amount to improper or unethical conduct, e.g. breach of a statutory code of conduct or are an abuse of position
- f) are a miscarriage of justice
- g) are a criminal offence or breach of law

### **3. HOW TO RAISE A CONCERN**

3.1 The Whistleblower may wish to discuss his/her concerns with a colleague first.

3.2 At any stage of the procedure, the Whistleblower may be accompanied by a friend, colleague, or a representative of a Union or professional association.

a) Employees should, if possible, raise a concern in the first instance with their line-manager, Headteacher or Chair of Governors

b) Non-employees, e.g. external workers, contractors, volunteers, should raise a concern in the first instance with the person to whom they directly have contact within the School.

c) Governors should raise concerns with the Chair of Governors or with the Education Standards Service within the Borough.

3.3 In some cases, the nature or sensitivity of the concern means that this may not always be appropriate. If a person feels they cannot raise their concern within the School, they can go to Clive Haines for Safeguarding or the RBWM Head of Human Resources. They may also do so if, having raised the concern within the School and they feel there has not been an appropriate response.

3.4 In the event of a concern being of an extreme and potentially serious nature, employees and others may raise it directly with the Children and Health Services.

3.5 The NSPCC helpline also offers support and advice. [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

In circumstances where an individual feels that it is necessary to raise a concern with an independent body rather than raise it internally within the school they may obtain guidance from the Public Concern at Work charity who can be contacted on 020 7404 6609.

### **4 PRACTICE AND PROCEDURE**

4.1 Concerns are better raised in writing but can be made orally, in either case it is essential to give as much information as possible so that reasonable grounds for the

concern can be demonstrated. If staff members have concerns about another staff member, a volunteer or the DDSL then this should be referred to the Headteacher/DSL (or in her absence to the Chair of Governors) who will discuss it with the LADO at RBWM.

WHERE THERE ARE CONCERNS ABOUT THE HEADTEACHER THIS SHOULD BE REFERRED TO THE CHAIR OF GOVERNORS WHO WILL DISCUSS IT WITH THE LADO WITHOUT INFORMING THE HEAD.

4.2 The earlier the concern is raised, the greater the opportunity for the School to take remedial action.

## **5 HOW THE SCHOOL WILL RESPOND**

5.1 Once a concern is raised, the School will respond with an investigation coordinated by the Headteacher. Further courses of action will vary, depending on the issue. She will make initial enquiries. There will be consultation which may include the Headteacher, Chair of Governors or Bursar as appropriate, to help decide if an investigation is required and if so, what form it should take.

5.2 As soon as possible and in any case within 10 working days of a concern being raised, the person handling the matter will write to the individual raising the concern, acknowledging that it has been raised and indicating how, as far as possible, it will be dealt with. The individual will be kept informed of progress and will receive a full and final response, subject to any legal restraints.

5.3 In cases where there is deemed to be an immediate risk to children or evidence of a criminal offence, the Police will be contacted. Any decision to refer a matter to the Police will be taken by the person leading the investigation.

The DSL will be kept informed and will liaise as required with RBWM LADO as case manager.

The initial sharing of information and evaluation may lead to a decision that no further action is to be taken in which case this decision and a justification for it will be recorded by the Head/Chair of Governors and the LADO.

All discussions should be recorded in writing and a course of action agreed. Every effort must be made to maintain confidentiality up to the point where the accused person is charged with an offence or the Secretary of State publishes information or a decision is reached in a disciplinary case or an investigation by the Teacher Regulation Agency (TRA).

Schools have a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child. The DBS will consider whether to bar the person. Referrals should be made as soon as possible after the resignation or dismissal of the individual.

If any person (whether employed, contracted, a volunteer or student) is dismissed, resigns or is removed due to safeguarding concerns, before a disciplinary process is completed the Head must inform the person about the employer's statutory duty to report the case to the Disclosure and Barring Service. Not to do would constitute an

offence and the School could be removed from the DfE register of independent schools. (Contact the DBS at PO Box 181, Darlington, DL1 9FA Tel: 0870 9090 811.)

The Head will discuss the case with the LADO as to whether the school will decide to make a referral to the TRA to consider prohibiting the individual from teaching due to conduct that may bring the profession into disrepute or that they have received a conviction at any time for a relevant offence. The Head should similarly inform the person concerned about the employer's statutory duty to report the case as above. Where an allegation has been proved false, unsubstantiated or malicious this should not be included in a reference.

5.7 Depending on the nature of the allegation, the team will work closely to ensure that all allegations are thoroughly investigated and reported upon.

5.8 The Investigating Officer will: - deal promptly with the matter - record all evidence received - ensure that all evidence is sound and adequately supported - ensure security of all evidence collected - contact other agencies such as Police - notify the Borough's consultants if applicable, who in turn assist in implementing procedures, where appropriate. The processes outlined above will also apply to Governors.

5.9 The School's disciplinary procedures will be used to facilitate a thorough investigation of any allegations of improper behaviour by employees.

### **Low-level concern procedure**

The overarching aim is to facilitate a culture in which the clear values and expected behaviours which are set out in our Code of Conduct are lived, constantly monitored, and reinforced by all staff. In particular, the intention is to:

- maintain a culture of openness, trust and transparency in which staff are confident and clear about expected behaviours of themselves and their colleagues, the delineation of boundaries and reporting lines;
- ensure staff feel empowered to raise any low-level concern, whether about their own or a colleague's behaviour, where that behaviour might be construed as falling short of the standards set out in our Code of Conduct; and Safeguarding and Child Protection Policy
- provide for responsive, sensitive and proportionate handling of such concerns when they are raised – maintaining on the one hand confidence that concerns when raised will be handled promptly and effectively whilst, on the other hand, protecting staff from false allegations or misunderstandings.

### **What is a low-level concern?**

A low-level concern for this purpose is any concern, no matter how small and even if no more than a 'nagging doubt', that an adult may have acted in a manner inconsistent with the school's Code of Conduct or simply – even if not linked to a particular act or omission – a sense of unease as to the adult's behaviour particularly towards or around children.

### **Low-Level Concerns about self (self-reporting)**

From time to time an individual may find him/herself in a situation which might appear compromising to others or which could be misconstrued. Equally, an individual may for whatever reason have behaved in a manner which on reflection he/she considers

falls below the standard set out in the Code of Conduct. Self-reporting in these circumstances is encouraged as it demonstrates both awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived. As such, the school sees self-reporting of low-level concerns as an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour. From time to time an individual may notice behaviour or actions in others which leave them concerned. These are behaviour or actions which fall short of a formal allegation of abuse. These tend to be behaviours which indicate that our Code of Conduct has not been met. Any such concerns can be dealt with as a Low-Level Concern.

What should I do if I have a low level concern?

Where a low-level concern exists it should be reported to the DSL as soon as reasonably possible and, in any event, within 24 hours of becoming aware of it (where the concern relates to a particular incident).

### **How will my low-level concern be handled?**

The Head/DSL will discuss all low level concerns with the safeguarding team as soon as possible and in any event within 24 hours of becoming aware of it. The Head/DSL will, in the first instance, satisfy him/herself that it is a low-level concern and should not be reclassified as an allegation and dealt with under the appropriate procedure. The circumstances in which a low-level concern might be reclassified as an allegation are where:

- a) the threshold is met for an allegation
- b) there is a pattern of low-level concerns which collectively amount to an allegation or
- c) there is other information which when taken into account leads to an allegation.

Having established that the concern is low-level, the DSL/Headteacher will discuss it with the individual who has raised it and will take any other steps to investigate it as necessary. Most low-level concerns by their very nature are likely to be minor and will be dealt with by means of management guidance, training etc.

### **What records will be kept?**

Where a low-level concern has been communicated, a confidential record will be kept in a central file which logs all low-level concerns. This is necessary to enable any patterns to be identified. However, no record will be made of the concern on the individual's personnel file (and no mention made in job references) unless either:

- a) the concern (or group of concerns) has been reclassified as an allegation as above; or Safeguarding and Child Protection Policy
- b) the concern (or group of concerns) is sufficiently serious to result in formal action under the school's grievance, capability or disciplinary procedure.

## **6 SAFEGUARDS**

Child on Child abuse

Allegations of Abuse against Other Children Child on Child abuse

All Staff should be aware that safeguarding issues can manifest themselves via child on child abuse.

This could include (but is not limited to) bullying, Cyberbullying, sexual violence, sexual harassment, physical abuse, sexting and initiation/hazing type violence and rituals. Refer to ESafety Policy for more details.

Staff are made aware of types of peer on peer abuse in staff meetings and through electronic communications throughout the year. We recognise “the gendered nature of peer on peer abuse (i.e. that it is more likely that girls will be victims and boys will be perpetrators) but that abuse is unacceptable and will be taken seriously”. Any concerns or allegations of peer on peer abuse should be reported to and discussed with the DSL or DDSL. Staff witnessing or receiving an allegation should make notes and pass these to the DSL who will store them securely in the office, separate to the child's educational file.

The DSL will consider the context in which such incidents occur and should a referral be necessary, this information will be shared with CSC. Accusations will be investigated using the Behaviour Support and Sanctions Policy or the Anti Bullying Policy and will not be tolerated or passed off as ‘banter’ or ‘growing up’.

A pupil against whom an allegation of abuse has been made may be suspended from the School during the investigation and the School's Behaviour, Support and Sanctions Policy will apply.

Allegations of sexual abuse by another child or children will be referred to the local authority Children's Social Care and the Police. A referral will always be made if there are reasonable grounds to believe that a child has suffered or is at risk of suffering significant harm. In the event of disclosures about pupil on pupil abuse, all children involved, whether perpetrator or victim, should be treated as being ‘at risk’. The RBWM Multi Agency Threshold for Safeguarding the Child's Journey should be referred to.

Victims and perpetrators will be supported by staff, led by the DSL or the DDSL. This may take the form of regular meetings with a pupil, discussions with parents and outside agencies, recommendation for counselling or a request for early help from RBWM.

The risk of peer on peer abuse can be minimised through work in PSHE and e-safety in Computing lessons and through the good work of Class and Form Teachers to create a culture of confidence.

## Harassment or Victimisation

6.1 The School recognises that it can be difficult to report a concern, not least because of the fear of reprisal from those responsible for the potential malpractice. The School will not tolerate harassment or victimisation of the person who has raised the issue and will take appropriate action against individuals who perpetrate such harassment.

## Confidentiality

## Independent Listener

The school has 'Who Can I Talk To' posters.

6.2 Wherever practical and possible, the School will protect the identity of those raising a concern if they do not wish their name to be disclosed. It must be appreciated, however, that the process of investigation may reveal the source of information and a statement may also be required as part of the evidence. Advice and support will be provided where this is the case and disclosure of the Whistleblower's identity will not be done without his/her consent unless legally required to do so.

6.3 Anyone may approach the School's Governors or Management confidentially if they so wish and as long as their allegation appears to have been raised honestly and in good faith, their wish for confidentiality will be supported.

6.4 If the Whistleblower is a Union member, (s)he is encouraged to raise and discuss matters with his/her union representatives before seeking to invoke the Whistleblowing Procedure. Trade Unions can advise an individual whether or not to proceed and the best way to present the disclosure.

#### Anonymous Allegations

6.5 Individuals raising concerns are strongly encouraged to put their name to any allegation. Concerns expressed anonymously are much less powerful, and will only be considered if the allegation demonstrates sufficient cause to take the matter further.

#### Untrue Allegations

6.6 If someone makes an allegation in good faith and it is not confirmed by an investigation, no action will be taken against the person who has made the report. If, however, an individual makes an allegation, which is subsequently shown to be malicious or vexatious, disciplinary action is likely to be taken against them.

### **7 HOW THE MATTER CAN BE TAKEN FURTHER**

7.1 This Policy is intended to provide all School employees and others with an effective process for raising concerns within the School. The School hopes that those using this process will be satisfied with the way their concerns are treated and any investigations that may be carried out. However, if they are not satisfied and feel they want to take the matter outside the School, then the borough or IAPS will provide support.

### **8 RESPONSIBILITY OF OFFICERS / MONITORING OFFICER**

8.1 The Headteacher and Governors have overall responsibility for the maintenance and operation of this Policy.

8.2 All concerns raised and the outcomes (in a form which respects the individual's confidentiality) will be maintained.

### **9 CONTACTS INTERNAL**



Headteacher 01628 483350

For LADO referrals contact: 0208 8917370 or 07774 332675

Email: [LADO@achievingforchildren.org.uk](mailto:LADO@achievingforchildren.org.uk)

## **EXTERNAL**

NSPCC whistleblowing helpline: 0800 0280285

Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

Local Union Representative(s) Public Concern at Work ([www.pcaw.co.uk](http://www.pcaw.co.uk))  
02074046609

### External Agencies

*Whether or not the School decides to refer a particular complaint to CSC or the Police, the parents and pupil will be informed in writing of their right to make their own complaint or referral to the Social Services Department or the Child Protection Unit of the Police and will be provided with contact names, addresses and telephone numbers, as appropriate.*

Windsor and Maidenhead Children's Social Care Services

01628 683150

01344 351999 (Out of hours - Emergency Duty Team)

LADO 0208 8917370 or 07774 332675

NSPCC 0808 800 500

Thames Valley Police

0845 8 505 505

01753 506581/585

101 Non-Emergency Number

Number for Prevent lead at RBWM 01628 682963

DfE helpline for non-emergency advice on extremism

02073 407264

[counter-extremism@education.gsi.gov.uk](mailto:counter-extremism@education.gsi.gov.uk)

## **10 PUBLICITY**

10.1 This Policy is available so that all parties related to the School are aware in the event they have a legitimate concern or complaint.